

THE PROTECTION OF BIRDS

(By BREVARD NIXON.)

Since 1876 about 1,000 game laws have been placed on the statute books of the State. This is ten laws for each county in the State. Bound in one volume, this would make a book of about 1,500 pages. Each one of the 1,000 laws has its own individuality. No attempt has been made to consolidate and systematize the game laws of the State. It is necessary to go through all the acts pertaining to each county to know what the law is for any particular county.

Game Birds.

Grouse, partridges, quail, pheasants, wild turkeys, and shore or wading birds, such as plovers, snipe, woodcock, curlews and sandpipers, are usually classed as game birds. To the sportsman any bird hunted with gun and dog is classed as a game bird. It is for the protection of these birds that the game laws were enacted.

Partridges or Quail.

The quail includes the several American partridges, especially the bob white, or Virginia, Maryland and California quail. The genera are common all over the world, however, and their propagation and protection are being more and more considered by all civilized people every year. There are many kinds of partridges; the bamboo or spurred, the night or woodcock, mountain or plumbed partridge, snow partridge and seese partridge of Asia, spruce partridge or American grouse of the North, wood or hill partridge of Asia, the rain quail of India, the stubble quail, the Australian swamp quail, the Australian painted quail, bustard quail, button quail, etc. Every country has its species of quail or partridge.

Number of Quail in State.

There is no way of estimating the number of quail in the State. We know, however, that the number is greatly decreasing yearly in the face of all the legislation enacted for their protection. We have one farm of five hundred acres which a few years ago had at least five hundred quails on it. Now there are not fifty. There are only four pieces of coveys left this year and the pot hunter will no doubt get them before hatching time. This condition prevails all over Mecklenburg county, as far as I have been able to ascertain, and also in the adjoining counties. Conditions should be such that every farm could boast of at least a quail for each acre at the beginning of each hunting season. These figures show the urgent need of some steps adequate not only for the protection of these valuable birds but also for their propagation and increase.

Multiplication of Quail.

After some effective protective legislation has been enacted, then methods should be introduced to multiply the number of quails. Food and shelter are as necessary for quails as for human beings. I do not mean the same kind, of course. Wheat fields and pea patches furnish the best feeding places, and small patches of ground should be sown in peas or wheat in many different places on the plantation in or near broom sedge fields and allowed to grow up and not be harvested. These patches should be near water. The wheat straw and the broom sedge and the wild grass and the thickets, which are allowed to grow up on every farm, furnish the best shelter for the birds. A patch of cane here and there in the bottoms is also good shelter. There is no better shelter than good lands with thick undergrowth after the birds can fly. A bushel of grain and a day's work on the farm will furnish feeding places for hundreds of these birds. These birds will nest near their feeding places and therefore it behooves one who wants plenty of them on his farm to have as many feeding places as possible. Quail will eat dogwood berries and other things, but the best meat is obtained by feeding them on grain. The more grain patches you have on your place the more coveys you will get.

Protection of Partridges.

The 1,500 statutes on the books purporting to protect partridges are but little more than so much legal junk and of but little more value than that much waste paper.

First, there is no systematized joint effort on the part of the people of the State to protect and multiply the birds.

Second, the laws on the statute books are not sufficient or adapted to the multiplication and protection of the birds.

Third, the laws on the books are not enforced or observed, but are openly violated and disregarded.

Combination of Effort to Protect Game.

This is absolutely necessary. The laws must be uniform over the State, or as near so as conditions will permit. For instance, the open season, the close season, the regulations for protection and the provisions generally should be uniform all over the State.

The open season should not commence before the 24th day of December of any year and should not last longer than the 1st of February. Now, a sportsman may hunt in Mecklenburg until the 15th, in Union and

Cabarrus until the 15th of January and in Lincoln until the 1st of February; but in Gaston there is no open season. It follows that there is a rush of hunters from the closed counties to those that are open. Mecklenburg, for instance, has supported the Gaston sportsman for several years. It is so all over the State where the adjoining counties have not uniform laws. It is not good legislative morals or policy to make it a misdemeanor to do a certain thing on one side of a creek and all right to do it on the other side. Let us have uniform bird laws, uniform observance and uniform enforcement all over the State as near as practicable.

The reason the open season should be made to commence late is to give the birds time to get full grown. On account of late hatches, birds are often not much more than half grown by the 1st of December, cannot fly fast, and when wounded usually succumb to the injury and die. Whereas the full-grown bird is strong, knows how to seek cover, flies very fast, is hard to hit, and when wounded will usually recover unless the wound is very severe.

Insufficient Laws.

The strongest proof of the inefficiency of the statutes on the books today is their failure to do what they purport to do. Under our present system of legislation and practice it will be but a short time when the quail and other game birds will be extinct in the State. To make the laws uniform tends to unify the effort of all the citizens of the State in the interest of game. But the Legislature must go further and get at the bottom of the trouble and shape legislation accordingly.

Dog Laws.

dog law, such as would eliminate the poor hungry roaming suck-egg hound. First, there should be an effective during the laying and hatching season. More damage is done to birds by such dogs breaking up the nests than probably all other forces acting together.

Mr. Wade Rutledge, a prominent farmer of Gaston, said recently: "Last year I found five partridge nests on my place around my home. We had had the close season for so long that I was most interested in them and watched them closely. But the hounds owned by some of my tenants found all but one of the nests and sucked the eggs. This was the destruction of eighty birds in a narrow area, the nests averaging twenty eggs each. I and my friends could not have done so much damage by shooting during the entire season."

Mr. Rutledge's experience is that of every farmer whom I have spoken to on the subject; and it is my own experience. Any hungry, untrained dog, for that matter, will suck eggs. The sheep-killing dog of olden times was outlawed; it should be so with the suck-egg dog that destroys the birds' nests.

Either put such a tax on all dogs as will compel the owners to dispose of such useless property, or require all persons to keep up their dogs during the laying and hatching season, as laws of 1909, chapter 715 provided as to bird dogs in Alamance. Such dogs not only destroy the birds but all other game that have their young on the ground. It is no use to hunt around where there are a number of hounds.

Sale of Birds Prohibited.

Next to the hound dog the pot hunter is the greatest nuisance to the birds. No matter what the price offered for birds the law should prohibit the sale of such game at all seasons of the year. Hardly a merchant in the State but what caters to this trade. There are regular bird speculators. They make trips out from towns like Charlotte through the counties and return with hundreds of birds which they sell at twice what they give for them. I have in mind now a certain peddler who has plied his trade regularly from Charlotte to Denver, Lincoln county, bringing hundreds of birds every Tuesday. He probably netted \$20 a week on birds alone. One man went to an adjoining county and bought up over two hundred birds at two for a quarter and sold them in Charlotte at 30 cents. He made 17 1-2 cents on each bird, or \$35 on the lot. A merchant can buy them at \$1.50 a dozen and have a standing engagement to sell to some club or hotel at 25 cents apiece.

The man who kills birds for sale should be suppressed as a nuisance. He is usually a trespasser, and a trespasser is a criminal. No land-owner kills birds for sale. No true sportsman does so. Stop the sale of birds and you will need little more legislation for them.

Pot Hunters.

A pot hunter is one who shoots game for the market. Almost every community has its pot hunters. There are even interstate pot hunters. There is one short stubby yellow negro who hunts from Georgia to North Carolina, inclusive, every year. When interviewed the other day he said:

"I live in Georgia. Down there the

hunting is better than here. I kill as many as 125 birds there without missing a shot. There is not so much cover. A 125 and 150 birds a day there is a fair hunt. I get 30 cents apiece from the dining car people for these birds. I often get \$50 a day for by birds. I have killed in the neighborhood of 3,500 birds this season, which have brought me over \$1,000. No, I do nothing but hunt. This season is not as good as last. I shoot 12-gauge gun, right open, left modified and 24-inch barrel, made special. It cost me \$125."

He said he had killed about 750 in this (Mecklenburg) county. He, like all pot hunters, owns no land. He makes his living by acting as a scourge to other people's birds. He has realized from this county alone \$225 from the sale of other people's birds.

A pot hunter was heard to remark the other day: "I killed fifteen birds in eleven shots." This of course meant that he shot the birds on the ground. No sportsman shoots birds on the ground, and it should be made a misdemeanor for a pot hunter to do so. It is the business of the pot hunter to fill his bag, and he does this by shooting on the ground whenever he can. As many as fifteen birds are sometimes killed at one shot on the ground. This is \$1.50 with but little effort. Of course the man who will shoot another's birds for sale will kill them on the ground, trap them or get them in any way possible for his trade. He knows he is a criminal by going on the land, and does not consider the degrees of crime by hesitating to fill his pot in the easiest manner possible. He is a professional poacher, a habitual law-breaker, a persistent trespasser, and next to the suck-egg dog, the worst enemy of the quail. Let a premium be placed on the capture of the pot hunter. Let the State offer rewards for such people or authorize the county commissioners to do so just as rewards used to be offered for wolf hides.

From 25 to 35 birds is the daily reward of the average pot hunters in this county, or from \$7.50 to \$10 reward for poaching. Such men could hardly make more than a dollar a day at any legitimate calling, but by their criminal pursuits make enough in forty days to keep them a year.

The pot hunter owns no land, pays no taxes and has no visible means of support, except during the hunting season. He is usually an expert shot and dog trainer. One was heard to say in regard to this: "I get \$25 for training that dog but he has made me twice that amount while I have been training him." From this it may be inferred that the pot hunter gets one dollar for training dogs for every two dollars he gets for his birds; or, in other words, his trespassing and poaching are twice as valuable to him as his dog training.

Two men from the city went out to a near-by town recently on a purported visit, but hunted while out there and killed 86 birds and sold them for 15 cents apiece, netting \$6.50 apiece. This was turning country hospitality to great advantage.

Old-Time Sportsmen.

Capt. Harrison Watts, of State-wide fame, says: "I approve of all the foregoing and more. Walter Brem and I used to go out and get from 50 to 100 birds in an evening's hunt, but it is different now. No man ought to be allowed to kill more than ten birds in a day. This should be the law all over the State on account of the scarcity of the birds. Shooting quail is eminently a gentleman's sport, but unless the birds are better protected there will soon be none to hunt. Make it a misdemeanor to sell birds, to shoot them on the ground, to hunt on another man's land without permission and have a close season from the 1st day of February to the 24th day of December. I would also put a premium on the hawk scalp and such a tax on the dog as to eliminate the suck-egg ones."

Mr. C. C. Bates, the State champion pigeon shot, and probably the quickest bird shot in the State, says: "It is absolutely necessary to do something for the birds of the State if we want to keep them from becoming extinct. It is absolutely necessary to protect the birds from the pot hunter and the suck-egg dog as well as the hawk if we expect to keep our lands stocked with birds. I have killed as many as 33 birds without missing a shot, and bagged many more than that number in a day; but for the protection of the game I would advocate a limit of ten birds for a day's hunt now."

Mr. John McGee, who has a State-wide reputation as a bird shot, says: "I have been shooting quail for 35 years, and they are scarcer this year than I have ever seen them. I have killed 33 without missing a shot and have bagged twice that number in a day's hunt. For the protection of the birds, however, I think the number allowed for a day's hunt should not be more than ten, and the open season should not commence until the birds are full grown. Pot hunting should be prohibited, the sale of birds also forbidden, no trespassing allowed, and dogs should be confined during April, May, June, July and August. I have seen hungry dogs not only break up nests but kill the young birds and eat them. They do more damage to quail than all other enemies put together, including even the pot hunter."

Chief W. S. Orr, ex-chief of the

department and ex-chief of police of Charlotte, N. C., who has a State-wide reputation as an officer and detective, a sportsman and the owner of fine dogs, says: "Birds must be protected or there will soon be none to protect. The close season should include all game, rabbits and everything that is hunted with gun and dog. Keep up the dogs during April, May, June, July and August, either blocked or in a pen where they cannot get to the birds or the nests to destroy them. Also prohibit pot hunting and the sale of birds. Allow no hunting during the close season with gun or dog. This should apply to the whole State."

Mr. James Sifford, of Lincoln county, the most accurate shot I have ever known, says: "The laws should be uniform and be equally enforced all over the State. The open season should not begin until the birds are full grown, dogs should be kept up during the laying and hatching season, a premium should be placed on hawk scalps, the sale of birds prohibited, pot hunters outlawed, and trespassers prosecuted to the limit of the law. Most Americans are naturally good shots. The quail should be preserved for this purpose alone if for nothing else. This is about the only game bird left in most of the counties for people to practice on. If our State is to maintain its reputation for marksmanship the quail must be preserved for practice. The training of the eye and nerve to shoot quail on the wing is quite an accomplishment within itself. The good quail shot would necessarily make a good soldier. Let us have the quail preserved for the boys to practice on."

Mr. Sifford further said: "I of course am not Natty Bumppo. I cannot do the double potato act in the air with the rifle. I have killed 36 quail on wing without missing a shot. That was when birds were plentiful, however, and we could pick our shots. I have shot them on the wing with old-time long muzzle-loading rifle, the magazine rifle and the air rifle. I know whether a bird I shoot at is a hen or cock, and I often decide in this way whether the bird that falls is my bird or not. I can trail birds in the broom straw or grass or woods. I know the quail from the egg to the game bag thoroughly. If we would have birds we must protect them in future better than in the past. It is not the sportsman, but the dog, the pot hunter, the hawk and the trespasser who destroy game."

Housing Birds in Winter.

Capt. Harrison Watts, of Charlotte, said: "Every means should be used to encourage the propagation of quail. When the winters are very severe and snow lies on the ground and the birds likely to die of cold and starvation they can be caught and put in pens and fed until the weather moderates. About twenty years ago, during the big snow, I bought over 1,000 live birds and cooped them and fed them until the snow melted and the weather got warmer. They would not eat at first, and a few of them died; but most of them lived and when the weather warmed up I paired the birds off and turned them loose in different parts of the county. For years after I noticed the effect of this in the number of birds in this county compared with the adjoining counties. Mecklenburg has been noted for the number of her coveys until the last few years."

"I paid fifty cents a dozen for these live birds; but, from a sportsman's standpoint, it was the best money I ever invested. For years I had the best of shooting right around home here as a result. Every man who owns lands should so provide for his birds. Not only feed them but house them if necessary. More and more individual effort will be required year after year if we expect to have the festive quail remain as the chief source of the sportsman's pleasure. And don't be a greedy sportsman. Always leave as many as four or five in a covey."

In growing asparagus, occasional applications of salt will stimulate the growth, as this is a sea-shore plant.

Art is the expression of man's joy in his work—Elbert Hubbard.

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